

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO**

In re: JOSEPH PODZEMNY,

No. 11-09-14226 JL

and

7-H CATTLE FEEDERS, INC.,

Debtors.

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THE SCOULAR COMPANY,

Plaintiff,

v.

Adversary No. 10-1010 J

DALHART CONSUMERS FUEL  
ASSOCIATION, INC. and  
7-H CATTLE FEEDERS, INC.,

Defendants.

**ORDER**

In accordance with the Court's Memorandum Opinion entered herewith, it is ordered that Dalhart Consumers Fuel Association, Inc.'s Motion to Dismiss for Lack of Subject Matter Jurisdiction or, Alternatively, for Abstention filed March 1, 2010 is DENIED.

ORDERED FURTHER that the Court abstains from that portion of this adversary proceeding concerning the dispute between Scouler and Dalhart that is also the subject of the Texas Action, in accordance with the provisions of 28 U.S.C. § 1334(c)(1).

ORDERED FURTHER that this adversary proceeding is STAYED pending further order of this Court.



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ROBERT H. JACOBVITZ  
United States Bankruptcy Judge

Entered on Docket: May 3, 2010

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